

REFERENCE TITLE: petition circulators; signature payment prohibited

State of Arizona
House of Representatives
Forty-ninth Legislature
First Regular Session
2009

HB 2587

Introduced by
Representatives Lopes, Young Wright: Fleming, McGuire, Patterson, Senators
Aguirre, Rios

AN ACT

AMENDING SECTIONS 19-101, 19-102 AND 19-118, ARIZONA REVISED STATUTES;
RELATING TO PETITION SIGNATURES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:
2 Section 1. Section 19-101, Arizona Revised Statutes, is amended to
3 read:

19-101. Referendum petition: circulators: violation:
classification

A. The following shall be the form for referring to the people by referendum petition a measure or item, section or part of a measure enacted by the legislature, or by the legislative body of an incorporated city, town or county:

Referendum Description

(Insert a description of no more than one hundred words of the principal provisions of the measure sought to be referred.)

Notice: This is only a description of the measure sought to be referred prepared by the sponsor of the measure. It may not include every provision contained in the measure. Before signing, make sure the title and text of the measure are attached. You have the right to read or examine the title and text before signing.

Petition for Referendum

To the secretary of state:— (or to the corresponding officer for or on local county, city or town measures)

We, the undersigned citizens and qualified electors of the state of Arizona, respectfully order that the senate (or house) bill No. _____ (or other local county, city or town measure) entitled (title of act or ordinance, and if the petition is against less than the whole act or ordinance then set forth here the item, section, or part, of any measure on which the referendum is used), passed by the _____ session of the legislature of the state of Arizona, at the general (or special, as the case may be) session of said legislature, (or by a county, city or town legislative body) shall be referred to a vote of the qualified electors of the state, (county, city or town) for their approval or rejection at the next regular general election (or county, city or town election) and each for himself says:

I have personally signed this petition with my first and last names. I have not signed any other petition for the same measure. I am a qualified elector of the state of Arizona, county of (or city or town and county of, as the case may be)

— "Warning

It is a class 1 misdemeanor for any person to knowingly sign an initiative or referendum petition with a name other than his own, except in a circumstance where he signs for a person, in the presence of and at the specific request of such person, who is incapable of signing his own name because of physical

1 infirmity, or to knowingly sign his name more than once for the
2 same measure, or to knowingly sign such petition when he is not
3 a qualified elector."

4 Signature Name Actual Arizona City or Date
5 (first and address post office town signed
6 last name (street & address (if any)
7 printed) no. and if & zip
8 no street code
9 address,
10 describe
11 residence
12 location)

13 (Fifteen lines for signatures which shall be numbered)

14 The validity of signatures on this sheet must be sworn to
15 by the circulator before a notary public on the form appearing
16 on the back of the sheet.

17 Number _____
18 B. Each petition sheet shall have printed in capital letters in no
19 less than twelve point bold-faced type in the upper right-hand corner of the
20 face of the petition sheet the following:

21 "_____ paid circulator" "_____ volunteer".

22 C. A circulator of a referendum petition shall state whether he is a
23 paid circulator or volunteer by checking the appropriate line on the petition
24 form before circulating the petition for signatures. **A CIRCULATOR MAY NOT**
25 **RECEIVE MONETARY OR OTHER COMPENSATION FOR COLLECTING SIGNATURES OR**
26 **CIRCULATING PETITIONS IF THAT COMPENSATION IS BASED ON THE NUMBER OF**
27 **SIGNATURES COLLECTED OR THE NUMBER OF PETITIONS CIRCULATED THAT CONTAIN**
28 **SIGNATURES.**

29 D. Signatures obtained on referendum petitions in violation of
30 subsection C are void and shall not be counted in determining the legal
31 sufficiency of the petition. The presence of signatures that are invalidated
32 under this subsection on a petition does not invalidate other signatures on
33 the petition that were obtained as prescribed by this section.

34 Sec. 2. Section 19-102, Arizona Revised Statutes, is amended to read:

35 **19-102. Initiative petition; circulators**

36 A. The form of petition for a law or amendment to the constitution of
37 this state or county legislative measure, or city or town ordinance, or
38 amendment to a city or town charter proposed by the initiative to be
39 submitted directly to the electors, shall be substantially in the form
40 prescribed in section 19-101, except that the title and body of such petition
41 shall read:

42 Initiative description

43 (Insert a description of no more than one hundred words of
44 the principal provisions of the proposed measure or
45 constitutional amendment.)

1 Notice: This is only a description of the proposed measure (or
2 constitutional amendment) prepared by the sponsor of the measure. It may not
3 include every provision contained in the measure. Before signing, make sure
4 the title and text of the measure are attached. You have the right to read
5 or examine the title and text before signing.

6 Initiative Measure to be Submitted Directly to Electors

7 We, the undersigned, citizens and qualified electors of
8 the state of Arizona, respectfully demand that the following
9 proposed law (or amendment to the constitution, or other
10 initiative measure), shall be submitted to the qualified
11 electors of the state of Arizona (county, city or town of
12 _____) for their approval or rejection at the next
13 regular general election (or county, city or town election) and
14 each for himself says: (terminate form same as a referendum
15 petition.)

16 B. Each petition sheet shall have printed in capital letters in no
17 less than twelve point bold-faced type in the upper right-hand corner of the
18 face of the petition sheet the following:

19 "_____ paid circulator" "_____ volunteer"

20 C. A circulator of an initiative petition shall state whether he is a
21 paid circulator or volunteer by checking the appropriate line on the petition
22 form before circulating the petition for signatures. A CIRCULATOR MAY NOT
23 RECEIVE MONETARY OR OTHER COMPENSATION FOR COLLECTING SIGNATURES OR
24 CIRCULATING PETITIONS IF THAT COMPENSATION IS BASED ON THE NUMBER OF
25 SIGNATURES COLLECTED OR THE NUMBER OF PETITIONS CIRCULATED THAT CONTAIN
26 SIGNATURES.

27 D. Signatures obtained on initiative petitions in violation of
28 subsection C of this section are void and shall not be counted in determining
29 the legal sufficiency of the petition. The presence of signatures that are
30 invalidated under this subsection on a petition does not invalidate other
31 signatures on the petition that were obtained as prescribed by this section.

32 Sec. 3. Section 19-118, Arizona Revised Statutes, is amended to read:

33 19-118. Definition of paid circulator

34 For the purposes of this title, "paid circulator":

35 1. Means a natural person who receives monetary or other compensation
36 ~~that is based on the number of signatures obtained on a petition or on the~~
37 ~~number of petitions circulated that contain signatures~~ FOR COLLECTING
38 SIGNATURES OR CIRCULATING PETITIONS THAT CONTAIN SIGNATURES.

39 2. Does not include a paid employee of any political ~~committee~~ PARTY
40 organized pursuant to title 16, chapter 6-5, unless that employee's primary
41 responsibility is circulating petitions to obtain signatures.